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| 10/029,230      | 12/21/2001  | James W. Jensen      | 2295.01US03         | 4123             |

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EXAMINER

LE, DANH C

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2683

DATE MAILED: 11/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

|                              |                                      |                                      |  |
|------------------------------|--------------------------------------|--------------------------------------|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/029,230 | <b>Applicant(s)</b><br>JENSEN ET AL. |  |
|                              | <b>Examiner</b><br>DANH C LE         | <b>Art Unit</b><br>2683              |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 13 October 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 16-20 and 914 is/are rejected.
- 7) ☒ Claim(s) 7, 8 and 15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- 1. Claims 1-16, 10-14, 16, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horrer (6,321,084) in view of Azer (5,481,592).**

As to claim 1, Horrer teaches an automated communication system for communicatively connecting a user by means of a communications device to a spacecraft (figure 1 and col.5, line 66-col.7, line 11), comprising:

a port adapted to accept a call related to a specific spacecraft (1) from the user and having a machine readable call management program, the call management program adapted to respond to a calling number that includes a spacecraft specific identifier and adapted to automatically search for the spacecraft specific identifier in a database of at least one selected ground earth station, wherein the call management system is further adapted connect the call upon determining that the spacecraft specific identifier is in the database.

Horrer fails to teach to terminate the call upon determining that the spacecraft specific identifier is not in the database. Azer teaches to terminate the call upon determining that the spacecraft specific identifier is not in the database (abstract). Therefore, it would have been obvious to one of ordinary skill in the art at the time the

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invention was made to provide the teaching of Azer into the system of Horrер in order to enhance system performance of the communication system in which an electronic radio link cannot be made due to the distance.

**As to claim 2**, the combination of Horrер and Azer teaches the communication system of claim 1, wherein the ground earth station is adapted to communicate with at least one known satellite in an earth orbit responsive to the call received from the port upon finding the spacecraft specific identifier in the database, the at least one known satellite adapted to retransmit the ground earth station communications to the specific spacecraft for reception by a dedicated receiver in the spacecraft so as to establish a communications link between the user and the specific spacecraft (Azer, col.2, line 48-col.3, line 40).

**As to claims 3-4, 17**, the combination of Horrер and Azer teaches the communication system of claim 1 which transmit personal call number to the port, the combination fails to teach transmitting of a ten digit number to the port, wherein the ten digit number includes a seven digit number associated with a specific spacecraft. The examiner takes Official Notice that transmitting of a ten digit number to the port, wherein the ten digit number includes a seven digit number associated with a specific spacecraft is known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of transmit personal call number to the port, the combination fails to teach transmitting of a ten digit number to the port, wherein the ten digit number includes a seven digit number associated with a

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specific spacecraft into the system of Horrер in order to ensure that the call is routed to a proper subscriber.

As to claim 5, the combination of Horrер and Azer teaches the communication system of claim 2 wherein the call management program initiates simultaneous communications with at least three satellites in a global search for a response from the specific spacecraft (Azer, col.3, line 50-col.4, line 8).

**As to claim 6**, the combination of Horrер and Azer teaches the communication system of claim 5 wherein the three satellites serving global regions include the AOR-W, POR, and IOR satellites (Azer, figure 1).

**As to claim 16**, the combination of Horrер and Azer teaches the communication system of claim 3, the combination of Horrер and Azer fails to teach the single ten digit telephone number is viewably presented on at least one wallet sized card, the card being presentable to a user. The examiner takes Official Notice that the single ten digit telephone number is viewably presented on at least one wallet sized card, the card being presentable to a user is known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of the single ten digit telephone number is viewably presented on at least one wallet sized card, the card being presentable to a user into the system of Horrер in order to carry by the user.

**As to claim 10**, the claim is a method claim of claim 1; therefore, the claim is interpreted and rejected as set forth as claim 1.

**As to claim 11**, the claim is a method claim of claim 2; therefore, the claim is interpreted and rejected as set forth as claim 2.

**As to claim 12**, the claim is a method claim of claim 3; therefore, the claim is interpreted and rejected as set forth as claim 3.

**As to claim 13**, the claim is a method claim of claim 4; therefore, the claim is interpreted and rejected as set forth as claim 4.

**As to claim 14**, the claim is a method claim of claim 5; therefore, the claim is interpreted and rejected as set forth as claim 5.

**As to claim 18**, the combination of Horrer and Azer teaches the communication system of claim 2, the combination of Horrer and Azer fails to teach caller access enables communication with the spacecraft by means of facsimile transmission. The examiner takes Official Notice that caller access enables communication with the spacecraft by means of facsimile transmission is known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of caller access enables communication with the spacecraft by means of facsimile transmission into the system of Horrer in order to transmit a print copy to the spacecraft.

**2. Claims 9, 19, 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Azer (5,481,592) in view of Horrer (6,321,084).**

**As to claim 19**, Azer teaches system for processing global communications between a ground station (110), a plurality of global satellite systems (1-4) and a

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specific ship (130) using a software system responsive to the satellite systems (figure 1), the system comprising:

means for assigning a ship specific identifier to the spacecraft (col.2, line 48-col.4, line 7);

means, responsive to a user and to identifier assignment, for initiating a communications with the specific ship by accessing at least one operators database for the ship and the satellite system upon entering a calling number that includes a ship specific identifier (col.2, line 48-col.4, line 7); and

means, responsive to communications initiation, for performing a database lookup using the ship identifier to determine a log-in status of the ship, if the spacecraft is not logged into the operators database, then terminating the initiation of communications (col.2, line 48-col.4, line 7).

Azer fails to teach a special ship is a special spacecraft. Azer teaches the communication between the user and a special spacecraft (figure 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Azer into the system of Horrer in order to enhance system performance of the communication system in which the user can communicate with the spacecraft flying around the globe.

**As to claim 20**, the combination of Azer and Horrer teaches the system of claim 19, further comprising: means, responsive to the spacecraft being logged into the operators database, for outdialing at least one access number for at least one of the satellite systems and the spacecraft ID from the at least one operators database;

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means, responsive to outdialing the access number, for generating a successful connection signal and means, responsive to the connection signal, for initializing a system port to process a new call (col. 5, line 66-col.7, line 8).

**As to claim 9**, Azer teaches an automated communication system for communicatively connecting a caller by means of a communications device to a ship (figure 1) comprising:

a port (110) for accepting a call from the communications device related to a specific ship from the caller and having a machine readable call management program, the call management program being responsive to a calling number that includes a ship specific identifier and automatically effecting a communication to three ground earth stations responsive thereto;

the ground earth stations (871-874) effecting communication with at least three known satellites in an earth orbit responsive to the received communication from the port; and

the satellites (1-4) retransmitting the ground earth station communications to the specific ship for reception by a dedicated receiver in the spacecraft, thereby establishing a communications link

from the caller to the specific ship.

Azer fails to teach a special ship is a special spacecraft. Azer teaches the communication between the user and a special spacecraft (figure 1). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teaching of Azer into the system of Horrer in order to enhance



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system performance of the communication system in which the user can communicate with the spacecraft flying around the globe.

***Allowable Subject Matter***

Claims 7, 8, 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As to claims 7, 8, 15, the teaching of prior art either alone or in combination fails to teach the call management program provides prompts to the caller requesting transmission of a digit related to a specific site in the specific spacecraft for connection to the caller.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A. Hiett (US 6,477,152) teaches apparatus and method for data communications.

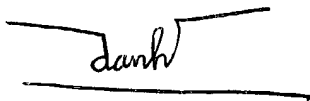
B. Schmid et al (US 5,950,129) teaches two way in flight radio telecommunication system and method.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DANH C LE whose telephone number is 703-306-0542. The examiner can normally be reached on 8:00AM-5:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM TROST can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "danh", is written over a horizontal line.

November 28, 2004

DANH CONG LE  
PATENT EXAMINER